

AMENDED IN ASSEMBLY MAY 28, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1960

Introduced by Assembly Member Ma
(Principal coauthor: Assembly Member Galgiani)

February 17, 2010

An act to add Article 17 (commencing with Section 43121) to Chapter 2 of Division 17 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

AB 1960, as amended, Ma. Agriculture: fruits, nuts, and vegetables: California Grown Act.

Existing law provides that the terms "California grown," "California-grown," and similar terms with identical connotations shall be used in the labeling or advertising of agricultural products, and authorizes the use of those terms for marketing, advertising, or promotional purposes, only to identify food or agricultural products that have been produced in the state or harvested in its surface or coastal waters.

This bill would ~~require the state or any of its agencies to purchase fruits, nuts, and vegetables that are produced in California rather than imported fruits, nuts, and vegetables whenever the quality is comparable to, and the price is equal to or less than, imported fruits, nuts, and vegetables. The bill would make certain declarations regarding the marketing of California-grown agricultural commodities~~ *state legislative findings regarding the marketing of California-grown agricultural commodities within this state. The bill would also state that all state-owned and state-run institutions are encouraged to purchase*

fruits, nuts, and vegetables that are produced, or produced and processed, in California before those that are produced outside of the state, as long as the price quoted for the California-produced products does not exceed the lowest bid or price quoted for an out-of-state product.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~-no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 17 (commencing with Section 43121) is
2 added to Chapter 2 of Division 17 of the Food and Agricultural
3 Code, to read:

4
5 Article 17. California Grown Act
6

7 43121. The Legislature hereby finds and declares that the
8 marketing of California grown agricultural commodities within
9 this state is essential to ensure the continued production of adequate
10 supplies of food products in this state and to ensure that producers
11 obtain a fair return for the commodities they produce. This will,
12 in turn, ensure that consumers have immediate access to fresh,
13 highly nutritious food products that will improve their quality of
14 life, will reduce greenhouse gas emissions associated with the
15 transportation of agricultural commodities into California from
16 other states and nations, and will allow producers to maintain a
17 proper standard of living and contribute their fair share to the
18 support of necessary governmental and educational functions.

19 43122. The conditions specified in Section 43121 vitally
20 concern the health, peace, safety, and general welfare of the people
21 of this state. It is hereby declared to be the policy of this state to
22 aid producers in preventing economic waste associated with the
23 inability to market their commodities in this state and to aid
24 producers in restoring and maintaining their purchasing power at
25 a more adequate, equitable, and reasonable level.

26 43123. The marketing of California grown agricultural
27 commodities within this state is hereby declared to be affected
28 with a public interest. The provisions of this article are enacted in
29 the exercise of the police powers of this state for the purpose of

1 protecting the health, peace, safety, and general welfare of the
2 people of this state.

3 ~~43124. The state or any of its agencies shall purchase fruits,~~
4 ~~nuts, and vegetables that are produced in California rather than~~
5 ~~imported fruits, nuts, and vegetables whenever the quality is~~
6 ~~comparable to, and price is equal to or less than, imported fruits,~~
7 ~~nuts, and vegetables.~~

8 *43124. All state-owned and state-run institutions are*
9 *encouraged to purchase fruits, nuts, and vegetables that are*
10 *produced, or produced and processed, in California before those*
11 *that are produced outside of the state, as long as the price quoted*
12 *for the California-produced products does not exceed the lowest*
13 *bid or price quoted for an out-of-state product.*